



Legislative Bulletin.....May 2, 2007

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H.R. 1867 — National Science Foundation Authorization Act of 2007

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 5

Total Cost of Discretionary Authorizations: \$21 billion over five years

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of Bills Without Committee Reports: 0

Number of Reported Bills that Don't Cite Specific Clauses of Constitutional Authority: 1

**H.R. 1867 — National Science Foundation Authorization Act of 2007
(Baird, D-WA)**

Order of Business: The bill is scheduled for consideration on May 2, 2007, likely subject to a modified open rule, requiring that amendments be preprinted in the Congressional Record by close of business on Tuesday, May 1, 2007.

Summary: H.R. 1867 would authorize funding for the National Science Foundation (NSF) over the FY 2008 to FY 2010 period. The specific provisions of the bill are summarized below.

- **Authorizes almost \$21 billion** over three years (FY08-FY10) for the National Science Foundation. The following table outlines authorizations in the bill for various initiatives and programs.

In millions

Account	Cost
Research Activities	16,400
<i>Major Research Instrumentation Program</i>	<i>370</i>
Education and Human Resources	2,800
<i>Math and Science Education Partnership</i>	<i>302</i>
<i>Robert Noyce Scholarship Program</i>	<i>304</i>
<i>STEM Talent Expansion Program</i>	<i>159</i>
<i>Advanced Technological Education</i>	<i>166</i>
Research Equipment and Facility Construction	787
Operations and Award Management	925
Office of National Science Board	12
Office of the Inspector General	38
Total Authorization (FY08- FY10)	20,970

- **Establishes the Major Research Instrumentation program**, which would award grants to institutions of higher education (IHE) for acquiring, operating and maintaining instruments and equipment. The minimum amount of an award under the program would be \$100,000, but not to exceed \$4 million, unless the total amount appropriated for the program in a fiscal year exceeds \$125 million, in which case, the maximum award could be \$6 million. IHEs would be required to provide at least 30 percent of the cost from private or non-federal sources, except in certain circumstances in which this cost-sharing requirement is waived.
- Requires NSF to increase funding for the Research Experiences for Undergraduates program in proportion to the increase in the total amount appropriated to NSF for research and related activities in any year for which appropriations are authorized by this legislation.
- Directs NSF to continue to carry out the Centers for Research on Learning and Education Improvement. Expands eligibility for centers under this program to include certain nonprofit organizations.
- Directs the National Science Board to evaluate the role of NSF in supporting interdisciplinary research and the effectiveness of NSF's efforts in providing information to the scientific community about opportunities for funding of interdisciplinary research proposals.
- Requires NSF to establish a new pilot program to award grants to individual to "assist them in improving research proposal that were previously submitted to NSF, but not selected for funding." Grants would be made to individual who have not previously received funding as the principal investigator of a research grant from NSE and have submitted a proposal to NSF that was rated very good

or excellent under NSF's competitive merit review process. Directs the National Science Board to conduct a review of the program.

- Requires NSF, in evaluating research proposals under their broader impacts criterion, to give special consideration to proposals that involve partnerships between academic researchers, industrial scientists, and engineers that address research areas that have been identified as having high importance for future national economic competitiveness, such as nanotechnology.
- Directs NSF to submit to Congress, a report on the impact of the broader impacts grant criterion used by NSF. The report is to identify and access the criteria, provide a breakdown of the types of activities that grant recipients have proposed to carry out to meet the criterion, and describe what national goals (such as improving undergraduate STEM education) that the criterion are best suited to promote.
- Directs NSF to require that all grant applications that include funding to support postdoctoral researchers, include a description of the mentoring activities that will be provided for these individuals.
- Requires that each institution that applies for financial assistance from NSF for science and engineering research or education, describe in its grant proposal a plan to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduate and graduate students, and postdoctoral researchers participating in the project.
- Directs NSF to ensure that all final project reports and citations of published research documents resulting from research funded through NSF, are made available to the public in a "timely manner" and in electronic form through the NSF website.
- Requires NSF to annually evaluate all of NSF's grants are that scheduled to expire within one year and meet certain requirements. For grants that are identified to be successful meeting objectives, the NSF could **extend the duration of the grants for up to three additional years beyond their scheduled expiration without the requirement for a recompetition.**
- Requires the National Science Board to evaluate the impact of its policy to eliminate cost sharing for research grants and cooperative agreements for existing programs that were developed around industry partnerships and historically required industry cost sharing (such as the Engineering Research Centers).
- Requires NSF to submit to congress, a plan for the allocation of education and human resources funds authorized by this Act for the corresponding fiscal year, including any funds from within the research and related activities account used to

support activities that have the primary purpose of improving education or broadening participation.

- Increases to three (up from one), the number of awards that may be given by NSF through the Alan T. Waterman Award program, which gives an award for research or advanced study in the mathematical, physical, medical, biological, engineering, behavioral, social, or other sciences. The award is a “suitable medal and a grant to support further research or study by the recipient.”
- Directs NSF to enter into an arrangement with the National Academy of Sciences for a report to congress, about barriers to increasing the number of underrepresented minorities in science, technology, engineering, and math fields, and to identify strategies for bringing more underrepresented minorities into the science, technology, engineering, and math workforce.

Possible Conservative Concerns: Some conservatives may be concerned that H.R. 1867 would create five new federal programs, and CBO estimates implementing the bill would authorize 21 billion over five years. In addition, some conservatives may be concerned that these new programs are highly duplicative of current federal efforts. An October 2005 Government Accountability Office (GAO) study reported that in FY04, 13 federal agencies reported spending roughly \$2.8 billion on 207 different education programs directly related to science, technology, engineering and mathematics (STEM).

Committee Action: H.R. 1867 was introduced on April 17, 2007, and referred to the House Committee on Science and Technology, which held a mark-up and reported the bill by voice vote, as amended, on April 24, 2007.

Cost to Taxpayers: According to CBO, enacting H.R. 1867 would authorize \$6.5 million in FY 2008, and \$21 billion over five years.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes. The bill creates five new programs.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Earmark Compliance: According to Committee Report 110-114 , the “H.R. 1867 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(t) of rule XXI.”

Constitutional Authority: The Science and Technology Committee, in Committee Report 110-114 cites constitutional authority in Article I, Section 8, but fails to cite a specific clause.

House Rule XIII, Section 3(d)(1), requires that all committee reports contain “a statement citing the *specific* powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution” (*emphasis added*).

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